

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 62 **Resolve, To Require the Department of Conservation To Maintain Public Access To the Fire Tower on Rocky Mountain near Allagash** **ONTP**

<u>Sponsor(s)</u> JACKSON MARTIN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
----------------------------------------	---------------------------------	---------------------------

LD 62 proposed directing the Department of Conservation to maintain as an historic site and to open to the public the fire tower on Rocky Mountain in T18 R12 WELS.

LD 95 **An Act To Support the Department of Conservation, Bureau of Forestry's Aerial Fire Suppression Program** **PUBLIC 28**

<u>Sponsor(s)</u> NUTTING J PINEAU	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-17
------------------------------------------	-----------------------------------	-----------------------------------

LD 95 proposed establishing a dedicated account within the Department of Conservation, Bureau of Forestry to accept reimbursement funds related to the use of the department's aerial fire suppression resources.

Committee Amendment "A" (S-17) proposed specifying that the account be established through the Office of the State Controller and that any money received for the use of the Department of Conservation, Bureau of Forestry's aerial fire suppression resources be deposited into the Aerial Fire Suppression Fund.

Enacted law summary

Public Law 2005, chapter 28 establishes a dedicated account within the Department of Conservation, Bureau of Forestry to accept reimbursement funds related to the use of the department's aerial fire suppression resources. Funds in the account accrue and are used to upgrade, maintain and support the bureau's aerial fire suppression fleet.

LD 117 **An Act To Amend Provisions of the Maine Land Use Regulation Commission Law** **INDEF PP**

<u>Sponsor(s)</u> PIOTTI NUTTING J	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-156
------------------------------------------	-----------------------------------	------------------------------------

LD 117 proposed allowing a fee to be assessed by the Maine Land Use Regulation Commission, LURC, for a zoning petition to change an area's designation from a general management subdistrict to a development subdistrict. It also proposed deleting statutory language duplicated in the schedule of fees section of LURC's rules. This bill also proposed a land use service fee assessment for towns which have annexed lands from the

Joint Standing Committee on Agriculture, Conservation and Forestry

unorganized territories based on the state valuation only for the portion of a town or plantation that is within the jurisdiction of LURC.

Committee Amendment "A" (H-156) proposed retaining the permitting fee ranges in statute proposed for repeal in the bill and designating any revised rules establishing new fees as major substantive rules.

The provisions of LD 117 as amended by Committee Amendment "A" were incorporated in the Appropriations and Financial Affairs Committee Amendment to LD 1677, the Supplemental Budget Bill and enacted as P.L. 2005, Chapter 386, Part I.

LD 133 **Resolve, To Support Long-term Forest Management and Sound Silviculture** **RESOLVE 28**

<u>Sponsor(s)</u> PIOTTI NUTTING J	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-253
------------------------------------------	-----------------------------------	------------------------------------

LD 133 proposed directing the Commissioner of Conservation to conduct research on economic incentives to support long-term forest management and sound silviculture, and to recommend legislation to the Second Regular Session of the 122nd Legislature.

Committee Amendment "A" (H-253) proposed establishing an interim report date of February 1, 2006 and including farmers among the groups to be represented when the Commissioner of Conservation is soliciting input.

Enacted law summary

Resolve 2005, chapter 28 directs the Commissioner of Conservation to develop recommendations and an implementation plan for economic incentives to support long-term forest management and sound silviculture. The Commissioner is directed to review options specified in the resolve and to solicit input from interested parties. The Resolve directs the commissioner to provide a progress report to the Joint Standing Committee on Agriculture, Conservation and Forestry by February 1, 2006. The committee is authorized to submit a bill to encourage long-term forest management and sound silviculture to the Second Regular Session of the 122nd Legislature.

LD 139 **An Act To Make a Record of Dog Licenses Available On-line** **ONTP**

<u>Sponsor(s)</u> ANDREWS	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
------------------------------	---------------------------------	---------------------------

LD 139 proposed requiring the Commissioner of Agriculture, Food and Rural Resources to create and maintain a publicly accessible database on the Internet of all dog licenses in the State including the name and contact information of the owner for each dog listed.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 143

An Act To Improve Access to Public Lands

PUBLIC 205

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J SAVIELLO	OTP-AM	S-146

LD 143 proposed amending the law enacted as a Citizen's Initiative in 1975 that created the Bigelow Preserve. It proposed language that would specifically authorize management for cross-country skiing and use of motorized vehicles for maintaining cross-country ski trails.

Committee Amendment "A" (S-146) proposed replacing the bill. It proposed alternate language to clearly authorize the Department of Conservation, Bureau of Parks and Lands to construct and maintain a segment of trail within the preserve. It proposed a general location for the trail and authorized use of motorized equipment and vehicles for construction and maintenance of the trail.

Enacted law summary

Public Law 2005, chapter 205 provides clear authorization to the Department of Conservation, Bureau of Parks and Lands, to construct and maintain a trail in the southeast corner of the Bigelow Preserve for cross-country skiing and other nonmotorized uses. It limits the length and general location of the trail and allows motorized equipment to be used for trail construction and maintenance.

LD 178

An Act To Support Animal Welfare

PUBLIC 281

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS G	OTP-AM	H-329 H-444 PIOTTI

LD 178 proposed requiring that the registration fees to distribute commercial feed be deposited entirely in the Animal Welfare Fund, instead of half being deposited in the Animal Welfare Fund and half in the General Fund.

Committee Amendment "A" (H-329) proposed replacing the bill with alternative approaches to increasing funding to the Animal Welfare Fund and the Companion Animal Sterilization Fund. It also proposed correcting an omission of the designation for aggravated cruelty to animals as a Class C crime. This omission occurred in Public Law 2003, chapter 452, An Act to Implement Recommendations of the MCJUSTIS Policy Board Concerning the Drafting of Crimes and Civil Violations Pursuant to Resolve 1997, Chapter 105, as Amended. The committee amendment proposed a retroactivity clause for this correction with an effective date of July 1, 2004, the date that P.L. 2003, chapter 452 became effective.

House Amendment "A" to Committee Amendment "A" (H-444) proposed removing the retroactivity clause relating to the Maine Revised Statutes, Title 17, section 1031, subsection 1-B.

Joint Standing Committee on Agriculture, Conservation and Forestry

Enacted law summary

Public Law 2005, chapter 281 imposes a surcharge of \$20 for each brand of pet food registered in the State, to be deposited in the Animal Welfare Fund. It imposes a surcharge of \$4 for each sample submitted to the Department of Agriculture, Food and Rural Resources for testing for equine infectious anemia. The testing surcharge is to be deposited in the animal welfare auxiliary fund and used for investigations and enforcement of the animal welfare laws pertaining to equines. It imposes a surcharge of \$25 on each unneutered cat or dog sold by a breeding kennel or a pet shop. This surcharge is deposited in the Companion Animal Sterilization Fund.

It corrects an omission of the designation of criminal class for aggravated cruelty to animals. This omission occurred in Public Law 2003, chapter 452, An Act to Implement Recommendations of the MCJUSTIS Policy Board Concerning the Drafting of Crimes and Civil Violations Pursuant to Resolve 1997, Chapter 105, as amended. This carries out the intent of chapter 452 with regard to the provision for aggravated cruelty to animals, which was to make technical changes only. Aggravated cruelty to animals is a Class C crime.

The correction to the aggravated cruelty statute, Maine Revised Statutes, Title 17, section 1031, subsection 1-B, was also incorporated in the Judiciary Committee Amendment to LD 1622, An Act to Correct Errors and Inconsistencies in the Laws of Maine. LD 1622 was enacted as P.L. 2005, Chapter 397, an emergency measure effective June 17, 2005.

LD 188	An Act To Promote the Uniform Implementation of the Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas	PUBLIC 226
---------------	------------------------------------------------------------------------------------------------------------------------------------------------	-------------------

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO PERRY J	OTP-AM	H-371

LD 188 proposed changing the effective date of January 1, 2006 for rules regulating timber harvesting activities in shoreland areas within the jurisdiction of the Maine Land Use Regulation Commission (LURC). It proposed making implementation of the rules within LURC jurisdiction contingent on acceptance of the standards by more than half of the State's municipalities.

Committee Amendment "A" (H-371) proposed replacing the bill, making the effective date for rules regulating timber harvesting activities in shoreland areas contingent on acceptance of the statewide standards by 252 municipalities on a list of 336 municipalities.

Enacted law summary

Public Law 2005, chapter 226 makes the effective date for rules regulating timber harvesting activities in shoreland areas contingent on acceptance of the statewide standards by 252 municipalities on a list of 336 municipalities. It requires the Commissioner of Conservation to notify the Secretary of State when the 252-municipality threshold has been reached and to submit legislation to make any necessary statutory revisions prior to the effective date for the statewide standards. Beginning on the effective date the standards will apply within the jurisdiction of the Maine Land Use Regulation Commission.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 204

An Act To Protect Dogs That Are Left Outside

PUBLIC 340

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN NUTTING J	OTP-AM	H-484 S-309 NUTTING J

LD 204 proposed additional statutory requirements for the type of shelter that must be available for a dog to protect it from inclement weather and for the type of chaining device that confines an animal.

Committee Amendment "A" (H-484) proposed replacing the bill. It proposed tethering and shelter standards specific to dogs that are confined outside on tethers for long periods and modification of those standards that are appropriate for arctic breeds.

House Amendment "A" to Committee Amendment "A" (H-546) proposed reducing the required chain or tether length for arctic breeds to 1.5 times the length of the dog if the anchor is a pivot point allowing a 360° area of movement.

Senate Amendment "A" to Committee Amendment "A" (S-309) proposed changes to the criminal provision for animal cruelty consistent with the changes for civil violations made in House Amendment "A" to Committee Amendment "A."

Enacted law summary

Public Law 2005, chapter 340 establishes tethering and shelter standards specific to dogs that are confined outside on tethers for long periods. It establishes standards that are appropriately different for arctic breeds.

LD 216

An Act To Make Revisions to the Laws Governing Agriculture

PUBLIC 382

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIOTTI NUTTING J	OTP-AM	H-671

LD 216 proposed several changes to the law that were identified as necessary during the preliminary work on the recodification of the Maine Revised Statutes, Title 7. Part A of this bill proposed eliminating unnecessary findings and purposes sections. Part B proposed correcting an obsolete reference and eliminates a duplicative provision.

Committee Amendment "A" (H-671) proposed several additional parts to the bill, including revisions to statutory provisions relating to institutional food purchasing and several clarifications to the Maine milk laws.

Enacted law summary

Public Law 2005, chapter 382 eliminates unnecessary findings and purposes sections in the Maine Revised Statutes, Title 7. It makes revisions to statutory provisions relating to institutional food purchasing. It directs the Commissioner of Agriculture, Food and Rural Resources to establish an advisory committee to discuss expanding the purchase of food that is locally produced, to convene a working group to discuss issues relating to food policy

Joint Standing Committee on Agriculture, Conservation and Forestry

and to submit a report with recommendations to the Second Regular Session of the 122nd Legislature. It authorizes the Joint Standing Committee on Agriculture, Conservation and Forestry to submit legislation that session pertaining to food policy and the promotion of locally produced foods.

It clarifies the definition and use of the word "cervids." It removes a time restriction on foals resulting from insemination being registered as Maine standardbreds. It revises the board memberships for the Maine Dairy Promotion Board and the Maine Dairy and Nutrition Council and makes several clarifications to the Maine milk laws.

Chapter 382 also directs the Department of Agriculture, Food and Rural Resources to submit legislation to implement its recommendations to address legal ambiguities in the Maine Revised Statutes, Title 7. It directs the department to seek drafting assistance from the Office of Policy and Legal Analysis.

LD 429 An Act To Require Veterinarians To Provide Vaccine Disclosure Forms ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RINES	ONTP MAJ	
DOW	OTP-AM MIN	

LD 429 proposed requiring a veterinarian to provide information regarding the advantages and disadvantages of vaccines to the owner of a dog or cat before vaccinating the dog or cat.

Committee Amendment "A" (H-254) proposed the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry to add a penalty provision to the bill. The minority report was not accepted.

LD 433 An Act To Allow the Department of Conservation To Create Dedicated Accounts for Sales of Merchandise and Acceptance of Donations PUBLIC 57 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUPLESSIE	OTP-AM	H-81
BRYANT B		

LD 433 proposed allowing the Commissioner of Conservation to create dedicated accounts for the deposit of money received from the sale of general merchandise products such as t-shirts, audio and video recordings, coffee mugs, tote bags and calendars.

Committee Amendment "A" (H-81) proposed directing the Commissioner of Conservation to register for copyright protection original artwork used on products for sale, to contract with Maine businesses for the production of merchandise whenever possible and to limit sales to products of high quality and appropriate for sale by the department.

Enacted law summary

Joint Standing Committee on Agriculture, Conservation and Forestry

Public Law 2005, chapter 57 allows the Commissioner of Conservation to create dedicated accounts to receive money from the sale of general merchandise products such as t-shirts, audio and video recordings, coffee mugs, tote bags and calendars. Money donated to the Department of Conservation to support specific programs may also be deposited in these dedicated accounts. Chapter 57 authorizes the department to accept donations of goods and services to support specific programs. It also directs the Commissioner of Conservation to register for copyright protection original artwork used on products, to contract with Maine businesses for the production of merchandise whenever possible and to limit sales to products of high quality and appropriate for sale by the department. Public Law 2005, chapter 57 was enacted as an emergency measure effective April 21, 2005.

LD 438 **Resolve, To Improve Access to Emergency Services in State Parks, Historic Sites and the Maine Wildlife Park** **RESOLVE 26**

<u>Sponsor(s)</u> VAUGHAN SNOWE-MELLO	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-186
---------------------------------------------	-----------------------------------	------------------------------------

LD 438 proposed directing the Commissioner of Conservation and the Commissioner of Inland Fisheries and Wildlife to take certain actions to improve the public's access to emergency services when visiting state parks and the Maine Wildlife Park.

Committee Amendment "A" (H-186) proposed requiring the Department of Conservation and the Department of Inland Fisheries and Wildlife to review their policies and procedures relating to emergency service providers and to report back to the Joint Standing Committee on Agriculture, Conservation and Forestry by January 31, 2006.

Enacted law summary

Resolve 2005, chapter 26 requires the Department of Conservation and the Department of Inland Fisheries and Wildlife to review their policies and procedures for contacting emergency service providers and allowing emergency service providers access to facilities and to review and implement staff training in emergency response. It requires the departments to develop written emergency operating plans for all staffed facilities and to report back to the Joint Standing Committee on Agriculture, Conservation and Forestry by January 31, 2006.

LD 457 **An Act To Remove an Access Gate from State-owned Land in Pittston Academy Grant, T2 R4 NBKP** **ONTP**

<u>Sponsor(s)</u> CLARK	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
----------------------------	---------------------------------	---------------------------

LD 457 proposed prohibiting the operation of an access gate and the charging of camping or day use fees on certain lands recently acquired and managed by the Department of Conservation, Bureau of Parks and Lands. It proposed defining these lands as the Seboomook Lake purchase.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 486

Resolve, To Extend the 2-year Rabies Vaccination Certificate to 3 Years

**RESOLVE 21
EMERGENCY**

Sponsor(s)
CARR
MILLS P

Committee Report
OTP-AM

Amendments Adopted
H-178

LD 486 proposed providing for a 2-year rabies vaccination certificate to be valid for an additional year for providing proof that a dog has been immunized against rabies under the dog licensing requirements.

Committee Amendment "A" (H-178) proposed extending the validity of a rabies vaccination certificate for licensing purposes for calendar years 2005 and 2006 only.

Enacted law summary

Resolve 2005, chapter 21 provides that a 2-year rabies vaccination certificate is valid for an additional year for calendar years 2005 and 2006 for purposes of providing proof that a dog has been immunized against rabies pursuant to the Maine Revised Statutes, Title 7, section 3922, subsection 3. Resolve 2005, chapter 21 was finally passed as an emergency measure effective May 13, 2005.

LD 503

An Act To Make Changes to the Laws Governing the Maine Potato Board

**PUBLIC 176
EMERGENCY**

Sponsor(s)
LUNDEEN

Committee Report
OTP-AM

Amendments Adopted
H-330

LD 503 proposed several changes to the laws governing the Maine Potato Board.

Committee Amendment "A" (H-330) proposed incorporating a fiscal note.

Joint Standing Committee on Agriculture, Conservation and Forestry

Enacted law summary

Public Law 2005, chapter 176 makes several changes to the laws governing the Maine Potato Board. It amends the definition of "potato" to include potatoes sold for processing into starch, and potatoes sold for processing into animal feed. It changes the minimum number of executive council meetings from 4 to 2 times a year. It authorizes the Maine Potato Board to undertake development and investment in infrastructure. It prohibits using revenue from the potato tax to undertake promotional activities of the Maine Potato Board and eliminates the requirement that the State Auditor conduct an annual audit of the Maine Potato Board. It specifies that the board must pay to the State Tax Assessor a sum representing the actual cost incurred by the State in collecting the taxes, except that the sum may not exceed 5% of the total tax collected annually. Public Law 2005, chapter 176 was enacted as an emergency measure effective May 20, 2005.

LD 538 **An Act Requiring Dog Owners To Obtain Dog License Vouchers
at the Time of Obtaining Rabies and Other Immunizations** **ONTP**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
ANDREWS		ONTP		

LD 538 proposed requiring a dog owner to pay the dog license fee to a veterinarian who immunizes the dog against rabies. It proposed a system by which the veterinarian would issue the owner a voucher to be presented to the municipal clerk or unorganized territory dog recorder to obtain a dog license.

LD 574 **An Act To Amend Provisions of the Submerged Lands Laws** **PUBLIC 134**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
COWGER BRAUTIGAM		OTP-AM		S-96

LD 574 proposed excluding large-scale projects from the \$1,200 cap on annual rents under the submerged lands leasing program. It also proposed amending the definition of "submerged lands" to clarify that the State's submerged lands extend 3 nautical miles seaward to the boundary of "territorial waters."

Committee Amendment "A" (S-96) proposed amending the definition of "large-scale project" in the bill. It proposed requiring the Director of the Bureau of Parks and Lands within the Department of Conservation to adopt rules relating to "large-scale project."

Joint Standing Committee on Agriculture, Conservation and Forestry

Enacted law summary

Public Law 2005, chapter 134 defines a “large-scale project” under the submerged lands leasing program and excludes such projects from the \$1,200 cap on annual rents. It requires the Director of the Bureau of Parks and Lands within the Department of Conservation to adopt rules establishing criteria for determining when a project is a "large-scale project" and criteria for establishing rent for those projects. It allows the director to make determinations until the rules are adopted and in effect. It amends the statutory definition of "submerged lands" and provides that the State's submerged lands extend 3 nautical miles seaward to the boundary of "territorial waters."

LD 640

An Act To Recognize the Importance of Forestry

CARRIED OVER

Sponsor(s)
SAVIELLO
NUTTING J

Committee Report

Amendments Adopted

LD 640 proposes statutory language stating that forest industry is of significant economic and social importance to the State. This bill was carried over by H.P. 1203 to the next special or regular session of the 122nd Legislature.

LD 649

An Act To Provide Access to Maine's Resources to Certain Veterans

**PUBLIC 268
EMERGENCY**

Sponsor(s)
BRYANT B
BRYANT M

Committee Report
OTP-AM MAJ
ONTP MIN

Amendments Adopted
S-197

LD 649 proposed recognizing Maine veterans of the Iraq War who have served a minimum of 90 days by giving them a free one-year pass to state parks and free hunting and fishing licenses.

Committee Amendment "A" (S-197) proposed replacing the bill with directives to the Department of Defense, Veterans and Emergency Management and authorization for the issuance of free day use passes and free hunting licenses and fishing licenses to certain veterans.

Enacted law summary

Public Law 2005, chapter 268 directs the Department of Defense, Veterans and Emergency Management to enter into a memorandum of agreement with the Department of Conservation for the issuance of free day use passes to certain veterans and to enter into a memorandum of agreement with the Department of Inland Fisheries and Wildlife for the issuance of free hunting licenses and fishing licenses to certain veterans. It establishes criteria for eligibility to receive the free pass and licenses. The provisions for the complimentary pass and licenses are repealed June 30, 2010. Public Law 2005, chapter 268 was enacted as an emergency measure with an effective date of June 2, 2005.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 654

An Act To Provide for Independent Testing of Unpasteurized Milk Products

PUBLIC 172

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J PIOTTI	OTP-AM MAJ ONTP MIN	S-142

LD 654 proposed requiring the Commissioner of Agriculture, Food and Rural Resources to review departmental procedures for testing food products for bacteria and revise the procedures to distinguish between types of bacteria that are harmful to human health and those that are not. It proposed prohibiting restrictions on sales of food products based on the presence of a bacterium unless the bacterium has been identified as harmful to human health.

Committee Amendment "A" (S-142) proposed changing the title and requiring the Department of Agriculture, Food and Rural Resources to establish a process for samples of certain unpasteurized milk products to be tested by an independent laboratory.

Enacted law summary

Public Law 2005, chapter 172 requires the Department of Agriculture, Food and Rural Resources to adopt rules establishing a process for samples of unpasteurized milk products to be tested by an independent laboratory. The owner of a milk plant may request independent testing when the milk laboratory operated by the department has tested samples from that plant and determined that state standards for unpasteurized milk products have not been met.

LD 781

Resolve, To Create Sebago Lake Village State Park

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRESSEY	ONTP	

LD 781 proposed directing the Department of Conservation, Bureau of Parks and Lands to purchase the boat ramp on Sebago Lake in the Town of Standish and 20 acres of Portland Water District property surrounding the boat ramp to establish Sebago Lake Village State Park. It proposed requiring the State to pay fair market value for the property acquired from the town and purchase the property from Portland Water District for the value of the property as determined by the tax assessed under the Maine Tree Growth Tax Law. This resolve proposed requiring the Bureau of Parks and Lands to improve the boat ramp in its existing location, create parking for 100 cars or boat trailers and create a memorial in the park for the British pilots who crashed their planes into Sebago Lake during World War II. The resolve proposed requiring that a proposal to move the boat ramp from the park receive approval by a 2/3 majority of Standish voters at a regularly scheduled election.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 803

Resolve, Directing the Department of Conservation, Bureau of Parks and Lands To Study the Management and Fee Structure of Scarborough Beach State Park

**RESOLVE 20
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CURLEY BARTLETT	OTP-AM MAJ ONTP MIN	H-167

LD 803 proposed allowing the use of Maine State Park Passes issued by the Department of Conservation, Bureau of Parks and Lands to gain admission to Scarborough Beach State Park.

Committee Amendment "A" (H-167) proposed replacing the bill with a resolve. The resolve proposed requiring the Director of the Bureau of Parks and Lands within the Department of Conservation to study the management of Scarborough Beach State Park.

Enacted law summary

Resolve 2005, chapter 20 directs the Director of the Bureau of Parks and Lands within the Department of Conservation to convene a study committee to study the management of Scarborough Beach State Park and report back to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 2, 2006. Resolve 2005, chapter 20 was finally passed as an emergency measure effective May 13, 2005.

LD 813

An Act To Make Technical Changes in Laws Relating to Conservation

PUBLIC 133

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINEAU	OTP-AM	H-200

LD 813 proposed several amendments to the laws relating to conservation. It proposed repealing obsolete language and redundant provisions. It also proposed making falsification of information on a timber harvesting notification equivalent to forgery.

Committee Amendment "A" (H-200) proposed removing that section of the bill that proposed making false information on a timber harvesting notification equivalent to forgery.

Enacted law summary

Public Law 2005, chapter 133 repeals obsolete language regarding the Department of Conservation, Bureau of Forestry's natural resource educator and the bureau's tree nursery. It repeals a redundant provision and amends statutory provisions regarding the Bureau of Forestry's collection of information on log imports and exports. It repeals provisions for the Bureau of Forestry's to collect information on mill-delivered prices.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 815

An Act To Require That Directors within the Department of Agriculture, Food and Rural Resources Be Unclassified

PUBLIC 337

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J	OTP-AM MAJ ONTP MIN	S-249

LD 815 proposed requiring the division heads within the Department of Agriculture, Food and Rural Resources to be appointed by the Commissioner of Agriculture, Food and Rural Resources and designated as unclassified employees.

Committee Amendment "A" (S-249) proposed in statute the directors' positions within the Department of Agriculture, Food and Rural Resources, which are being designated as unclassified. It proposed transition language to the bill.

Enacted law summary

Public Law 2005, chapter 337 requires the division directors positions within the Department of Agriculture, Food and Rural Resources to be appointed by the Commissioner of Agriculture, Food and Rural Resources and designates them as unclassified employees. It allows persons serving as directors on the effective date of the Act to continue to serve as classified employees until the beginning of the next gubernatorial term of office.

LD 842

An Act To Prevent Price Gouging and To Stabilize Prices in the Sale of Milk

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS P	ONTP	

LD 842 proposed prohibiting a person from selling fluid milk for an unconscionably excessive price and allowing the Maine Milk Commission to investigate to determine if a price is unconscionably excessive. The bill also proposed a provision for calculating a subsidy for Maine's dairy farmers and directing the Maine Milk Pool administrator to distribute the dairy stabilization subsidy on a monthly basis.

LD 861

An Act To Amend Arborist Licensing Law

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LERMAN	ONTP	

LD 861 proposed amending the arborist licensing law by eliminating the licensing exemptions for persons working on their employer's property and for general contractors who remove shade or ornamental trees in the conduct of their regular business. The bill proposed limiting the requirement that the Department of Agriculture, Food and Rural Resources investigate all complaints relating to arborists. It proposed requiring investigation of formally made complaints only.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 934 **Resolve, To Transfer Ownership of Certain Public Reserved Lands CARRIED OVER to the Town of Allagash**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON BRYANT B		

LD 934 proposed the transfer of certain public lands to the Town of Allagash.

Committee Amendment "A" (H-504) proposed replacing the resolve. It proposed directing the Director of the Bureau of Parks and Lands within the Department of Conservation to provide information on the disposition of the public lots in towns and plantations that have incorporated since January 1, 1973. The amendment also proposed requiring the director to review contract provisions for the sale of wood and to develop model provisions that give preference to local markets. It required the Director to report to the Joint Standing Committee on Agriculture, Conservation and Forestry on these tasks by January 15, 2006. The Minority Report was accepted in the Senate. The House accepted the Majority Report of Ought Not to Pass.

After a conference committee, both bodies voted to recommit LD 934 to the Joint Standing Committee on Agriculture, Conservation and Forestry. This bill was carried over by H.P. 1203 to the next special or regular session of the 122nd Legislature.

LD 959 **Resolve, Directing the Department of Conservation, Bureau of Parks and Lands To Develop a Plan To Create a Regional Recreation Center in the Town of Blue Hill** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHATZ DAMON	ONTP	

LD 959 proposed directing the Director of the Bureau of Parks and Lands within the Department of Conservation to work with several communities in western Hancock County to develop a plan to create a regional recreation center in the Town of Blue Hill. The bill proposed requiring the director to submit a report to the Joint Standing Committee on Agriculture, Conservation and Forestry by January 15, 2006 and authorizing the committee to report out legislation to the Second Regular Session of the 122nd Legislature regarding the development of a regional recreation center.

LD 961 **An Act To Establish the Agricultural Water Management Fund** **PUBLIC 150 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUNDEEN	OTP-AM	H-284

LD 961 proposed establishing a fund in the Department of Agriculture, Food and Rural Resources that would accept money from any source for the purpose of improving the adoption of irrigation for agricultural businesses.

Joint Standing Committee on Agriculture, Conservation and Forestry

Committee Amendment "A" (H-284) proposed changing the name of the fund to the Agricultural Water Management and Irrigation Fund and clarifying that the fund might be used for irrigation and providing water for livestock operations.

Enacted law summary

Public Law 2005, chapter 150 establishes the Agricultural Water Management and Irrigation Fund in the Department of Agriculture, Food and Rural Resources. The department is authorized to accept money from any source for deposit in the fund. The fund may be used for irrigation and providing water for livestock operations. Public Law 2005, chapter 150 was enacted as an emergency measure effective May 20, 2005.

LD 967

An Act To Amend the Laws Governing Dogs at Large

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT M	ONTP MAJ OTP-AM MIN	

LD 967 proposed requiring a dog to be quarantined at a boarding kennel or a veterinary clinic if the dog has bitten a person or a domesticated animal or the dog is the subject of a complaint under Maine laws regarding dangerous dogs and the dog's owner or keeper does not provide an animal control officer with a valid certificate of rabies vaccination for the dog.

Committee Amendment "A" (H-430) proposed the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed allowing an animal control officer to determine the place of quarantine for a dog that has bitten a person or domesticated animal. It increases the fine for failure to abide by quarantine provisions and other rules adopted to control rabies. The minority report was not adopted.

LD 1002

An Act To Transfer Responsibility from the Potato Marketing Improvement Committee to the Maine Potato Board

PUBLIC 335

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN LUNDEEN	OTP-AM	S-276

LD 1002 proposed transferring the responsibilities of the Commissioner of Agriculture, Food and Rural Resources as they pertain to potato marketing, the Potato Marketing Improvement Committee and the Potato Marketing Improvement Fund to the Maine Potato Board. It also proposed expanding uses of the Potato Marketing Improvement Fund.

Joint Standing Committee on Agriculture, Conservation and Forestry

Committee Amendment "A" (S-276) proposed repealing statutory provisions relating to the Potato Marketing Improvement Committee and designating the Maine Potato Board to serve in an advisory capacity to the Commissioner of Agriculture, Food and Rural Resources on matters relating to the Potato Marketing Improvement Fund.

Enacted law summary

Public Law 2005, chapter 335 repeals statutory provisions relating to the Potato Marketing Improvement Committee and designates the Maine Potato Board to serve in an advisory capacity to the Commissioner of Agriculture, Food and Rural Resources on matters relating to uses of the Potato Marketing Improvement Fund. It expands use of the fund to include programs and activities that improve the economic viability of the potato industry.

LD 1017

An Act To Monitor the Distribution of Land Acquisitions

PUBLIC 215

<u>Sponsor(s)</u> JOY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-252
--------------------------	-----------------------------------	------------------------------------

LD 1017 proposed requiring the Land for Maine's Future Board to report annually to the joint standing committee of the Legislature having jurisdiction over matters pertaining to state parks and public lands on the expenditures made and acreage acquired and leased on a county-by-county basis. The bill also proposed requiring that the majority of expenditures from the Land for Maine's Future Fund and the Public Access to Maine Waters Fund during a 2-year period must be used for land acquisition in the 8 counties that are below the state median in percentage of public land.

Committee Amendment "A" (H-252) proposed replacing the bill. It proposed requiring the Land for Maine's Future Board to report information on expenditures and acquisitions on a county-by-county basis.

Enacted law summary

Public Law 2005, chapter 215 requires the Land for Maine's Future Board to include in its biennial report information on expenditures and acquisitions on a county-by-county basis for the report period and a cumulative report on acreages acquired by county.

LD 1064

An Act To Clarify the Laws Governing Agricultural Composting Operations CARRIED OVER

<u>Sponsor(s)</u> WOODCOCK CARR	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-256
---------------------------------------	-----------------------------------	------------------------------------

LD 1064 proposed enacting a definition of "agricultural composting" and clarifying that agricultural composting operations qualify for certain sales tax exemptions. It also proposed specifically including work in connection with "agricultural composting" in the definition of "agricultural labor" as that term is used in Maine's unemployment compensation statutes.

Joint Standing Committee on Agriculture, Conservation and Forestry

Committee Amendment "A" (S-256) proposes replacing the definition of "agricultural composting" found in the bill with definitions of "agricultural composting operation" and "composting." It proposes removing the provision that proposed amending Maine's unemployment compensation statute.

This bill was carried over on the Special Appropriations Table by S.P. 640 to the next special or regular session of the 122nd Legislature.

LD 1070 An Act To Amend the Law Regarding State Milk Payments PUBLIC 230

<u>Sponsor(s)</u> PIOTTI		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
-----------------------------	--	--------------------------------	--	---------------------------

LD 1070 proposed allowing a milk producer to choose which month that producer would begin receiving payments under the Maine milk income loss contract.

Enacted law summary

Public Law 2005, chapter 230 allows a milk producer to choose which month that producer begins receiving payments under the Maine milk income loss contract. Production during the months that payments are delayed does not count towards the cap of 5,000,000 pounds under the Maine milk income loss contract.

LD 1089 Resolve, To Establish a North Woods Park Feasibility Study ONTP

<u>Sponsor(s)</u> EDER		<u>Committee Report</u> ONTP MAJ OTP-AM MIN		<u>Amendments Adopted</u>
---------------------------	--	-----------------------------------------------------------	--	---------------------------

LD 1089 proposed requiring the Department of Economic and Community Development, Office of Tourism to study the feasibility of establishing the North Woods Park, a state park located adjacent to Baxter State Park.

Committee Amendment "A" (H-255) proposed the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It changes an incorrect reference from "state park" to "national park." The minority report was not adopted.

LD 1106 An Act To Amend Certain Animal Health Laws PUBLIC 146

<u>Sponsor(s)</u> TWOMEY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-305
-----------------------------	--	-----------------------------------	--	------------------------------------

LD 1106 proposed establishing the State of Maine Animal Response Team and the State of Maine Animal Response Team Fund. It proposed a confidentiality clause to protect records and test results relating to diagnostic

Joint Standing Committee on Agriculture, Conservation and Forestry

tests for livestock or poultry diseases performed on samples submitted to or obtained by the Commissioner of Agriculture, Food and Rural Resources and any information reported to the department pertaining to diseases among livestock and poultry within the State.

Committee Amendment "A" (H-305) proposed removing the section in the bill that proposed making confidential certain records relating to animal testing and disease. It proposed clarifying that the Commissioner of Agriculture, Food and Rural Resources can accept private and public funds for deposit into the State of Maine Animal Response Team Fund and clarifying for what purpose the fund may be used.

Enacted law summary

Public Law 2005, chapter 146 establishes the State of Maine Animal Response Team to prepare for and respond to emergencies and disease outbreaks involving animals and the State of Maine Animal Response Team Fund.

LD 1126 Resolve, To Examine the Nontherapeutic Use of Antibiotics RESOLVE 82

<u>Sponsor(s)</u> COWGER PIOTTI	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-250
---------------------------------------	-----------------------------------	------------------------------------

LD 1126 proposed including a policy statement in Maine statutes to discourage the nontherapeutic use of antibiotics in animals raised for food. It proposed requiring persons purchasing meat for Maine state institutions and Maine schools to notify brokers or wholesalers of this policy and to give preference to those who can supply meat from animals that have not been given antibiotics for other than therapeutic reasons.

Committee Amendment "A" (S-250) proposed changing the bill to a resolve. It proposed directing the Commissioner of Agriculture, Food and Rural Resources and the Director of the Bureau of Health within the Department of Health and Human Services to examine issues pertaining to the use of antibiotics in human medicine and animal agriculture.

Enacted law summary

Resolve 2005, chapter 82 directs the Commissioner of Agriculture, Food and Rural Resources and the Director of the Bureau of Health within the Department of Health and Human Services in consultation with a study group to examine issues pertaining to the use of antibiotics in human medicine and animal agriculture. It requires a report to legislative committees in January 2006 and authorizes the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Health and Human Services to report out legislation to the Second Regular Session of the 122nd Legislature.

**LD 1224 Resolve, Establishing a Study Committee To Examine Methods To ONTP
Assist the Potato Industry**

<u>Sponsor(s)</u> JACKSON BRYANT B	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
------------------------------------------	---------------------------------	---------------------------

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 1224 proposed a concept draft of a resolve to establish a study committee to examine methods to assist the potato industry.

LD 1256 **An Act To Ensure Public Awareness of Pesticide Applications** **ONTP**

<u>Sponsor(s)</u> STRIMLING DAVIS P	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
-------------------------------------------	---------------------------------	---------------------------

LD 1256 proposed requiring persons certified to apply pesticides to provide written notice of pesticide application to the Board of Pesticides Control concerning the type and amount of pesticide and the time and place of application. It proposed requiring the board to then make that information easily available to the public.

LD 1309 **An Act To Exempt Agricultural Guard Dogs and Herding Dogs from the Barking Dog Ordinances** **PUBLIC 138**

<u>Sponsor(s)</u> TRAHAN	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-331
-----------------------------	-----------------------------------	------------------------------------

LD 1309 proposed exempting agricultural guard dogs and dogs used for herding livestock from barking dog ordinances.

Committee Amendment "A" (H-331) proposed language to clarify that agricultural guard dogs and herding dogs when working are exempt from municipal ordinances prohibiting or limiting barking.

Enacted law summary

Public Law 2005, chapter 138 exempts dogs engaged in guarding livestock or herding livestock from municipal ordinances prohibiting or limiting barking.

LD 1368 **An Act To Protect Small Forest Landowners** **PUBLIC 358**

<u>Sponsor(s)</u> CARR	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-629
---------------------------	-----------------------------------	------------------------------------

LD 1368 proposed providing confidentiality for forest management plans and documentation of forest management activities on private forest lands, when such documentation is held by the Department of Conservation, Bureau of Forestry for the purpose of administering landowner assistance programs. It also proposed making confidential the addresses, telephone numbers and electronic mail addresses of forest landowners owning less than 1,000 acres statewide and contained in harvest notifications and reports of assessors to the Bureau of Forestry.

Joint Standing Committee on Agriculture, Conservation and Forestry

Committee Amendment "A" (H-629) proposed clarifying confidentiality provisions for information held by the Department of Conservation, Bureau of Forestry. It proposed requiring the Director of the Bureau of Forestry to provide names, addresses and electronic mail addresses upon request to a nonprofit organization that provides educational services to forest landowners regarding sound forest management.

Enacted law summary

Public Law 2005, chapter 358 clarifies confidentiality provisions for information held by the Department of Conservation, Bureau of Forestry. It requires the Director of the Bureau of Forestry to keep addresses and electronic mail addresses confidential for landowners owning less than 1,000 acres of forest land statewide but requires this information to be provided upon request to a nonprofit organization that provides educational services to forest landowners for the purpose of distributing information on forest management. The bill as amended was reviewed and evaluated by the Joint Standing Committee on Judiciary pursuant to the Maine Revised Statutes, Title 1, section 434, which requires review and evaluation of new exceptions to laws governing public records.

LD 1368, as amended, was reviewed and evaluated by the Joint Standing Committee on Judiciary pursuant to MRSA 1, §434, which requires review and evaluation of new exceptions to laws governing public records.

LD 1393 Resolve, To Direct the Department of Conservation To Seek Public RESOLVE 92
Access to Certain Prominent Water Bodies

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS P	OTP-AM	S-240

LD 1393 proposed requiring the Department of Conservation to give priority under the Land for Maine's Future Fund to acquire, support and maintain public access to swift rivers and great ponds. It proposed specifying that the department has the authority to use eminent domain, as necessary, to acquire and maintain access to key launching points on the Dead and Kennebec Rivers.

Committee Amendment "A" (S-240) proposed replacing the resolve. It proposed removing explicit authorization to use the power of eminent domain. It proposed language directing the Department of Conservation to seek negotiations with landowners to acquire public access to launch sites on the Dead River and Kennebec River.

Enacted law summary

Resolve 2005, chapter 92 directs the Department of Conservation to seek negotiations with landowners to acquire public access to launch sites on the Dead River and Kennebec River. It requires the department to report to the Joint Standing Committee on Agriculture, Conservation, and Forestry no later than January 6, 2006 on the status of the discussions and negotiations. It authorizes the committee to report out a bill relating to public access to the Kennebec and Dead Rivers during the Second Regular Session of the 122nd Legislature.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 1395

An Act Regarding National Forests

PUBLIC 258

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE MCLEOD	OTP-AM MAJ ONTP MIN	S-212

LD 1395 proposed repealing statutory language that gives the consent of the State to the acquisition by the Federal Government of land for national forests. It proposed removing language that specifically gives the consent of the State to the acquisition by the Federal Government of land in Hancock and Washington counties and in parts of Penobscot and Aroostook counties for national forests.

Committee Amendment "A" (S-212) proposed retaining provisions in the Maine Revised Statutes, Title 12, section 751 pertaining to concurrent jurisdiction.

Enacted law summary

Public Law 2005, chapter 258 removes statutory language giving the consent of the State for acquisition by the Federal Government of land that the Federal Government determines is needed for national forests. The bill also removes specific language that gives the consent of the State to the acquisition by the Federal Government of land in Hancock and Washington counties and in parts of Penobscot and Aroostook counties for national forests.

LD 1406

An Act To Preserve Public Access and Job Opportunities in the North Woods

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER PIOTTI		

LD 1406 proposes the Maine Woods Act and establishing the Maine Woods Board as a public instrumentality of the State. As proposed, the board's central duty is to support sustainable forestry and provide public access and recreational opportunities through the acquisition and maintenance of forest lands. The board would have independent bonding authority to support the Maine Woods Fund, as established in this bill. This bill was carried over by H.P. 1203 to the next special or regular session of the 122nd Legislature.

LD 1426

An Act To Amend Certain Milk and Milk Products Laws

PUBLIC 270

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N NUTTING J	OTP-AM	H-470

LD 1426 proposed repealing certain sections of law having to do with the licensing, inspection and testing of farm cheese. It proposed provisions for the labeling and sale of heat-treated cheeses.

Committee Amendment "A" (H-470) proposed clarifications to the provisions for labeling heat-treated cheese.

Enacted law summary

Joint Standing Committee on Agriculture, Conservation and Forestry

Public Law 2005, chapter 270 repeals certain sections of law relating to the licensing, inspection and testing of farm cheese. It allows heat-treated cheeses to be produced, labeled and sold in a manner similar to other products made from unpasteurized milk.

LD 1432

An Act To Reestablish the Milk Handling Fee

**PUBLIC 396
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LERMAN PERRY J	OTP-AM	H-602

LD 1432 proposed establishing a milk handling fee at the rate of 5¢ per quart on milk handled for retail sale in Maine. It proposed that the fee would be paid on a monthly basis by the wholesale handler or, if there is none, by the retail handler. It proposed that the proceeds of the fee be paid to the State's General Fund for general purposes of State Government with one exception. It proposed that the State Tax Assessor pay \$1,000,000 from the proceeds of the milk handling fee to the Maine Farms for the Future Program.

Committee Amendment "A" (H-602) proposed a rate schedule for the fee that would vary inversely with the price of milk and a trigger for initiating the fee. It proposed adding definitions to the bill for "basic price" and "producer-handler" and an exception from the fee for producer-handlers who sell less than 10,000 hundredweight per year. It proposed allowing the State Tax Assessor to share information with the Maine Milk Commission. It also proposed removing the provision for funding to the Maine Farms for the Future Program.

Enacted law summary

Public Law 2005, chapter 396 establishes a milk handling fee similar to the fee in effect in 1995 and 1996. Proceeds of the fee are paid to the State's General Fund for general purposes of State Government. Chapter 396 establishes a rate schedule that varies inversely with the price of milk and a trigger for initiating the fee. The handling fee is initiated after the basic price of milk falls below \$18 per hundredweight for 2 consecutive months. Producer-handlers who sell less than 10,000 hundredweight per year are exempt from payment of the fee.

Public Law 2005, chapter 396 was enacted as an emergency measure effective June 17, 2005.

LD 1473

An Act To Strengthen the Animal Welfare Laws

PUBLIC 422

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIOTTI	OTP-AM	H-502

LD 1473 proposed several amendments to the animal welfare laws. It proposed a definition for "abandonment" and "abandon" and proposed specific penalties for abandoning animals. It proposed a violation and penalty for impersonating a state humane agent. It proposed late fees for failure to renew animal facility licenses. It proposed a rabies vaccination requirement for dogs independent of the dog licensing law. It proposed additional disclosure requirements for pet dealers and amending the definition of "breeding kennel."

Committee Amendment "A" (H-502) proposed replacing the bill, retaining and rewriting provisions relating to rabies vaccination, late fees for facilities licenses and animals abandoned at animal care facilities.

Joint Standing Committee on Agriculture, Conservation and Forestry

Enacted law summary

Public Law 2005, chapter 422 establishes a rabies vaccination requirement for dogs independent of the dog licensing law. It establishes a late fee for failure to renew a kennel, pet shop or animal shelter license within 30 days of the license expiration. It prohibits the Department of Agriculture, Food and Rural Resources from issuing a license for a breeding kennel to a person convicted or adjudicated of animal cruelty violations. It makes abandonment a Class C crime if the animal dies as a result of abandonment. It makes it a Class D crime to abandon an animal at a veterinarian's office, boarding kennel, animal grooming facility or animal day-care facility and establishes a process for notification of an owner and disposition of the abandoned animal.

LD 1547 **An Act To Ensure Appropriate Development in Lands under the** **ONTP**
Jurisdiction of the Maine Land Use Regulation Commission

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERCY DAMON	ONTP	

LD 1547 proposed requiring the Maine Land Use Regulation Commission to establish a statewide plan for development guidelines in areas not currently developed and further limiting actions by the commission while the plan is being developed.

LD 1560 **An Act To Transfer the Pest Control Compact from the** **PUBLIC 147**
Department of Conservation to the Department of Agriculture,
Food and Rural Resources

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLOOD	OTP	

LD 1560 proposed transferring responsibilities for administration of the Pest Control Compact from the Department of Conservation, Bureau of Forestry to the Department of Agriculture, Food and Rural Resources.

Enacted law summary

Public Law 2005, chapter 147 repeals the Pest Control Compact currently contained in the Maine Revised Statutes, Title 12 under the laws governing the Department of Conservation, Bureau of Forestry and enacts the compact instead in Title 7 under the laws governing the Department of Agriculture, Food and Rural Resources.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 1572

An Act To Amend the Potato Industry Licensing Laws

**PUBLIC 333
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUNDEEN MARTIN	OTP-AM	H-562

LD 1572 proposed amending the laws governing potato industry licensing and bonding to provide additional protection for producers and licensees.

Committee Amendment "A" (H-562) proposed clarifications to the requirements for a license renewal for potato dealers and brokers and restoring language providing for due process that was struck in the bill.

Enacted law summary

Public Law 2005, chapter 333 amends the laws governing potato industry licensing and bonding to provide additional protection for producers and licensees in the event that a person required to be licensed under these laws becomes insolvent. The bill requires the submission of a bond as a prerequisite for obtaining a license; requires licensees to apply for a license renewal annually; establishes a June 30th expiration date for all licenses; increases the license fee from \$80 to \$100 per year; and makes other administrative changes. Public Law 2005, chapter 333 was enacted as an emergency measure effective June 8, 2005.

LD 1590

An Act To Allow the Maine Land Use Regulation Commission To Assess a Processing Fee for Certain Projects

**PUBLIC 107
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

LD 1590 was a committee bill, reported out of the Joint Standing Committee on Agriculture, Conservation and Forestry with a unanimous “ought-to-pass” report. It proposed allowing the director of the Maine Land Use Regulation Commission to assess a processing fee for certain projects and establishing a system for tracking and paying expenses attributable to these projects.

Enacted law summary

Public Law 2005, chapter 107 allows the director of the Maine Land Use Regulation Commission to designate certain projects as “extraordinary projects” based on the project’s size, uniqueness or complexity. It allows the director to assess a fee based on the cost of reviewing an application for an extraordinary project. Processing fees are deposited in a dedicated account and expenses attributed to review of a project are paid from the dedicated account.

Public Law 2005, chapter 107 was enacted as an emergency measure effective May 12, 2005.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 1630 **Resolve, Directing the Department of Conservation, Bureau of Parks and Lands To Restore the Taylor Camps** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	ONTP MAJ	
MARTIN	OTP MIN	

LD 1630 proposed directing the Department of Conservation, Bureau of Parks and Lands to commence restoration of the Taylor camps on the Allagash Wilderness Waterway by the end of 2005.

LD 1657 **An Act To Minimize the Risk to Maine's Marine Waters and Organisms Posed by the Application of Pesticides** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERCY		
DAMON		

LD 1657 proposes the following limits on the application of pesticides near the normal high tide mark for the control of browntail moths.

1. Prohibits aerial application of pesticides in an area from the normal high tide mark to 1,000 feet inland.
2. Prohibits application of pesticides using a mist blower in an area from the normal high tide mark to 500 feet inland.
3. Prohibits application of pesticides using a hydraulic rig in an area from the normal high tide mark to 50 feet inland.

This bill was carried over by H.P. 1203 to the next special or regular session of the 122nd Legislature.

LD 1674 **Resolve, Authorizing Certain Land Transactions by the Department of Conservation, Bureau of Parks and Lands** **RESOLVE 97**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINEAU	OTP-AM	H-599
BRYANT B		

LD 1674 proposed authorizing the Director of the Bureau of Parks and Lands within the Department of Conservation to convey property or interests in property at locations described in this resolve on such other terms and conditions as the director may direct.

Committee Amendment "A" (H-599) proposed incorporating a fiscal note.

Enacted law summary

Joint Standing Committee on Agriculture, Conservation and Forestry

Resolve 2005, chapter 97 authorizes the Director of the Bureau of Parks and Lands within the Department of Conservation to convey property or interests in property at 8 different locations. The resolve describes each property to be transferred and the purpose of the transfer. These parcels are among the lands designated under the Constitution of Maine, Article IX, Section 23. Proceeds from sale of these lands must be used to purchase additional land in the same county for the conservation or recreation purposes.

LD 1692

**An Act To Transfer Funds to the Maine Milk Pool from the
General Fund To Fund Dairy Stabilization Programs**

PUBLIC 418

Sponsor(s)
PIOTTI

Committee Report

Amendments Adopted

LD 1692 proposed directing the State Controller to transfer undedicated revenue from the General Fund to the Maine Milk Pool on a monthly basis. The proposed transfers would be distributed from the Maine Milk Pool to milk producers. This bill was enacted on the floor without reference to committee.

Enacted law summary

Public Law 2005, chapter 418 directs the State Controller to transfer undedicated revenue from the General Fund to the Maine Milk Pool. The amount to be transferred monthly is based on price support distributions to Maine milk producers for the previous month. Distributions are calculated and paid in accordance with Title 7, sections 3153-B and 3153 –C.